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Book No. Hin

HIND MAZDOOR SABHA

CONSTITUTION

1. Name and Office.

(i) The name of the organisation shall be HIND MAZDOOR SABHA hereinafter referred to as the SABHA

(ii) The headquarters of the SABHA shall be at such place as the General Council of the SABHA shall from time to time decide.

2. Aims and Objects.

The objects of the SABHA shall be :

(i) to promote the economic, political, social and cultural interests of the Indian working class;

(ii) to guide and co-ordinate the activities of affiliated organisations and assist them in their work;

(iii) to watch, safeguard and promote the interests, rights and privileges of workers in all matters relating to their employment;

(iv) to promote the formation of :—

(a) federations of unions from the same industry or occupation, and

(b) national unions of workers employed in the same industry or occupation;

(v) to secure and maintain for the workers :—

(a) freedom of association,

- (b) freedom of assembly,
- (c) freedom of speech,
- (d) freedom of press,
- (e) right to work or maintenance,
- (f) right to social security, and
- (g) right to strike;

(vi) to organise for and promote the establishment of a democratic, socialist society in India;

(vii) to promote the formation of co-operative societies and to foster workers' education;

(viii) to co-operate with other organisations in the country and outside having similar aims and objects.

In the promotion and realisation of these aims and objects, the SABHA shall employ all legitimate, peaceful and democratic methods.

3. Membership.

(i) The SABHA shall consist of such *bona fide* trade union organisations, including federations of trade unions, as shall be affiliated in the manner prescribed.

(ii) Any such organisation may make an application to become affiliated to the SABHA and shall furnish copies of its rules or constitution together with such other particulars and information as may be required by the General Council.

(iii) The General Council shall have full power to accept or reject any such application subject to the power of the next Annual Convention to overrule any such decision.

4. Affiliation Fees

(i) Every affiliated organisation shall pay to the SABHA the undermentioned contributions :

- (a) an affiliation fee of half an anna per member per annum subject to a minimum of Rs. 20 to be paid in one instalment within three months after the commencement of the official year to be determined by the General Council.
- (b) a delegation fee of Rs 3 per delegate attending a convention on behalf of an affiliated organisation.
- (c) such other levy as may be fixed by the General Council by a two-thirds majority of members present to be paid within the time limit determined by the General Council.

(ii) Non-payment of any contribution that has become due shall disqualify the defaulting organisation from voting at and/or participating in any meetings of the SABHA until the payment is made in full.

(iii) Non-payment of any contribution for a period of six months after it becomes due shall render the defaulting organisation liable to be disaffiliated by the General Council after a notice of three months for the payment of dues.

(iv) An organisation, when disaffiliated for the nonpayment of contributions, may be re-affiliated on payment of all the arrears and the contributions for the current year.

5. Composition of General Council

(i) The General Council shall be composed of

(A) President.

Not more than five Vice-presidents.

General Secretary,

Not more than two Secretaries.

Treasurer; and

(B) Other members representing the following Industrial Sections on the basis of one representative for every 5000 members or a major fraction thereof, with a minimum of one for each Section.

(a) Railways,

(b) Water Transport,

(c) Transport (other than Railways and Water Transport),

(d) Jute Textiles,

(e) Textiles other than Jute.

(f) Port and Dock,

(g) Mining and Quarrying,

(h) Engineering and Allied Trades,

(i) Iron and Steel and other Metal Trades,

(j) Chemicals and Oils,

(k) Leather and Tanning,

(l) Sugar, Food and Tobacco,

(m) Printing and Paper,

(n) Agriculture including Plantations and Forestry,

(o) Public employees,

(p) Commercial Establishments,

(q) General workers.

(ii) Each affiliated organisation shall be allocated to its appropriate Industrial Section by the working Committee, subject to the right of appeal to the General Council.

(iii) The General Council may determine the list of Industrial Sections from time to time by addition, amalgamation or omission as it may deem fit.

6. Group Committees

The General Council at its first meeting after each Convention may appoint Group Committees in accordance with the following plan.

Group A- 9 members

Railways, Mining, Transport

Group B- 9 members

Ship-building, Engineering, Iron & Steel,

Metal Trades, Building

Group C- 9 members

Cotton, Jute, Silk, Woollen Textiles

Group D- 9 Members

Chemicals & Oils, Food, Drink,

Sugar, Tobacco and Garments

Group E- 9 members

Public Employees, Government Servants and Non-manual Employees.

The Group committees will cultivate the closest possible contact with federations or other bodies representing the same interests out the General Council, and the official attached to each Group Committee will be responsible for collecting and filing of special information regarding the activities of the unions represented by the Group Committees.

Each Group Committee shall elect its own Chairman, and shall investigate and submit reports on any matter referred to it by the General Council. The work and functions the Group Committees shall be subject to the control of the General Council.

Special Committees shall be appointed by the General Council to deal with any questions which may arise from time to time.

7. Election of General Council

(i) The office-bearers, namely, the President, the vice-Presidents, the General Secretary, the Secretaries and the Treasurer shall be elected by the delegates to the Annual Convention from amongst themselves by a majority under a system of card voting and by cumulative voting where there is more than one seat.

(ii) Other members of the General Council shall be elected by the delegates assembled at the Annual Convention, meeting separately in their respective Industrial Sections, by cumulative voting under the system of card voting.

(iii) No candidate shall be eligible for election to the General Council unless he is a delegate and the organisation represented by him shall have paid the fees provided in Article 4.

(iv) Casual vacancies amongst the office-bearers as well as other members of the General Council may be filled in by the General Council from the appropriate Industrial Section.

(v) A member of the General Council who ceases to be a member of the affiliated organisation which he represented at the time of his election to the General Council shall cease to be a member of the General Council.

8. Working Committee

The Working Committee of the SABHA shall consist of the office-bearers and 17 other members elected by the General Council at its first meeting after the Annual Convention by a system of cumulative voting.

9. Meetings.

(i) The General Council shall ordinarily meet once in six months and the Working Committee once in three months.

(ii) The General Secretary, in consultation with the President, shall convene the meetings of the General Council and the Working Committee and shall fix the time and place of such meetings.

(iii) At least fifteen days' notice shall be necessary for the meetings of the General Council and the Working Committee except in cases of an emergency or urgent

~~business.~~ In such cases at least four days' notice shall be given.

(iv) A special meeting of the General Council or the Working Committee shall be convened on a requisition by not less than one half of the total number of members of the General Council or the Working Committee as the case may be. Such special meeting shall consider only those specific questions for which it is called

(v) The quorum for the meetings of the General Council and the Working Committee shall be one-third of the total number of members.

10. Questions for Decision

Questions coming for decision before the Convention the General Council and the Working Committee shall be decided by a majority of votes, provided however that question of a political nature and those relating to strikes to be declared by the SABHA shall be decided only by the Convention or the General Council by three-fourths majority of the delegates or members present, as the case may be.

11. Funds

(i) The funds of the SABHA shall be deposited in a bank or banks to be approved by the Working Committee in the names of the General Secretary, the Treasurer and such other members of the Working Committee as may be determined from time to time. The accounts shall be operated according to the directions of the Working Committee.

(ii) The accounts of the SABHA shall be audited annually by a registered accountant to be appointed by the Working Committee.

(iii) It will be the duty of the Treasurer to ensure the proper maintenance of the accounts of the SABHA and to present the audited statement of accounts to the General Council for being submitted to the Annual Convention.

12. Provincial (State) Councils and Regional Committees

(i) Affiliated organisations from each provincial (State) administrative unit shall form a Provincial (State) Labour Council.

(ii) If the General Council is satisfied that it would be in the interest of the trade union movement to establish a Regional Committee in a particular region, the General Council may authorise the affiliated organisations from the region concerned to form themselves into a Regional Labour Committee.

(iii) The Provincial Labour Councils and the Regional Labour Committees will have their own constitutions which shall not be inconsistent with the constitution of the SABHA.

13. Conventions

(i) Unless otherwise decided by the General Council the Annual Convention of the SABHA shall be held in the month of December every year on such days and at such place as may be determined by the Working Committee.

(ii) Affiliated organisations shall be entitled to be represented at the Annual Convention by one delegate for every 500 members or a major fraction thereof, provided always that they have paid the fees prescribed in Article 4 as well as dues to be paid to the Provincial (State) Councils and Regional Committees.

(iii) Only a member or an office-bearer of an affiliated organisation can be a delegate from that organisation to the Annual Convention.

(iv) The outgoing President shall preside at the Annual Convention as well as any Special Convention that may be held during his term of office.

(v) The method of voting at the Annual Convention shall be by show of hands. Where, however, a division is demanded, it shall be by a card vote.

(vi) Provisions for the Annual Convention under this Article regarding the composition of the Convention, the qualification of delegates and the method of voting shall be applicable to the Special Convention also.

(vii) A Special Convention may be called by the General Council or the Working Committee whenever they think it necessary. It shall be called on the requisition of affiliated organisation or organisations whose collective membership is not less than one third of the total membership of the SABHA. The Special Convention shall consider only those specific questions for which it is called.

14. Standing Rules

The General Council shall have power to make such Standing Rules as may be found to be necessary, not

inconsistent with this constitution, and in particular on questions relating to :—

(a) Determination of membership and *bona fide* character of an affiliated organisation or an organisation seeking affiliation.

(b) Duties and functions of office-bearers.

(c) Arrangements regarding Annual or Special Convention.

(d) Propositions for Annual or Special Convention.

(e) Election of national and international delegations.

(f) Disbursement of the funds of the SABHA.

15. Amendments to the Constitution

A Convention may make any amendment to the Constitution of the SABHA that it deems necessary by a two-thirds majority, provided four weeks' notice regarding such amendment has been given.

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